

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

Civil Action No. 13-12218  
Honorable Nancy G. Edmunds  
Magistrate Judge David R. Grand

v.

APRIL HOUSE,

Defendant.

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**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S  
MOTION TO COMPEL DEFENDANT'S DISCOVERY RESPONSES [20]**

Before the Court is Plaintiff Malibu Media, LLC's Motion to Compel Defendant's Discovery Responses. [20]. Defendant filed a response to Plaintiff's motion [24], and on January 8, 2014, the Court held a telephone conference with counsel to both parties to discuss the motion. During that call, the parties agreed to resolve the motion as follows:

- **Document Requests 1 and 12 – Hard Drive and Video Game Files.** By **January 22, 2014**, Plaintiff shall provide Defendant with a proposed Protective Order describing the use Plaintiff's forensic expert may make of the Plaintiff's hard drive and video game consol. Any other use of those devices shall be prohibited without first obtaining an additional Court order. If, by **January 31, 2014**, the parties are unable to agree on verbiage for said protective order, counsel shall jointly contact the Court on that date to further discuss the matter. Accordingly, Plaintiff's motion as to these requests is granted in part and denied in part.
- **Document Requests 3-5 – Documents Related to Defendant's Purchase and Use of a Computer, Modem and/or Wireless Router.** By **January 22, 2014**, Defendant shall provide a supplemental response to Plaintiff which either: (1) provides the requested materials; or (2) describes the reasonable efforts Defendant undertook to search for and obtain the requested materials which shall include Defendant making a request of any third parties (*i.e.*, seller of the devices, ISPs, installers, etc.) for the information sought by Plaintiff. Accordingly, Plaintiff's motion as to these requests is granted.

- **Other Discovery Requests Raised in Plaintiff's Motion.** The parties appear to have reached agreement as to the remaining discovery requests raised in Plaintiff's motion. Accordingly, Plaintiff's motion as to these remaining requests is denied.

For the foregoing reasons, **IT IS ORDERED** that Plaintiff's Motion to Compel [20] is **GRANTED IN PART AND DENIED IN PART.**

**SO ORDERED.**

Dated: January 9, 2014  
Ann Arbor, Michigan

s/David R. Grand  
DAVID R. GRAND  
United States Magistrate Judge

**NOTICE REGARDING OBJECTIONS**

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. §636(b)(1).

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 9, 2014.

s/Felicia M. Moses  
FELICIA M. MOSES  
Case Manager